

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA WESTERN DIVISION

| THE CHARTER OAK FIRE INSURANCE COMPANY; and TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA, |)))) |
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| Plaintiffs, v. GRACIE DAVIS, as personal representative of the estate of GREGORY D. CHANEY; MARLA SARTAIN CASTILLO, as personal representative of the estate of SERGIO CASTILLO RIVAS; DANIEL PELAYO SILVERIO; and CORNELIUS DANCY, |))) LEAD CASE) CIVIL ACTION NO.) CV-11-RRA-01721-W))))) |
| The Estate of SERGIO CASTILLO RIVAS, by and through MARLA SARTAIN CASTILLO, personal representative and administratrix of The Estate of Sergio Rivas, deceased; Plaintiff, v. KATHY CREPPEL GALLEGOS, An individual; TRAVELERS |)))))) MEMBER CASE) CIVIL ACTION NO.) CV-11-RRA-2214-W))) |
| PROPERTY CASUALTY COMPANY OF AMERICA; THE CHARTER OAK FIRE INSURANCE COMPANY, Defendants. |))))))) |

Memorandum Opinion

This is a consolidated civil action. Before the court is the plaintiff's motion to bifurcate

and remand (doc. 41, in CV-11-RRA-1721; doc. 36, in CV-11-RRA-2214); the plaintiff's

amended motion to bifurcate and remand (doc. 42, in CV-11-RRA-1721; doc. 38, in

CV-11-RRA-2214); the plaintiff's supplemental and renewed motion to remand (doc. 44, in

CV-11-RRA-1721; doc. 51, in CV-11-RRA-2214); and the plaintiff's supplemental motion

to remand (doc. 79 in CV-11-RRA-1721; doc. 109, in CV-11-RRA-2214). On December 7,

2012, the magistrate recommended that the motions be denied. (Doc. 86.) No objections

have been filed.

Having carefully considered *de novo* all the materials in the court file, including the

report and recommendation, and the objections thereto, the court is of the opinion that the

recommendation ought to be, and hereby is ADOPTED and ACCEPTED as the opinion of

this court. The court specifically determines that the motions are due to be DENIED. An

appropriate order will be entered.

DONE this 23rd day of January, 2013.

ROBERT B. PROPST

SENIOR UNITED STATES DISTRICT JUDGE

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